

REMARKS

I. STATUS OF THE CLAIMS

Claims 1-6 and 10-14 are presented for examination in the Application. Claims 1, 6, and 11 have been amended by the present amendment.

Claims 1, 3-4, 10-14 were rejected in the Office Action under 35 U.S.C. § 103(a) (hereinafter, "Section 103(a)") as being obvious and unpatentable over Aravamudan et al. (U.S. Pat. No. 6,301,609, hereinafter, "Aravamudan") in view of Fuchigami (U.S. Pat. No. 6,393,463, hereinafter, "Fuchigami").

Applicant respectfully traverses all rejections and requests reconsideration.

A. REJECTION OF CLAIMS 1, 3-4, 10-14 UNDER SECTION 103(a)

Claims 1, 3-4, 6, and 10-14 were rejected under Section 103(a) as being obvious over Aravamudan in view of Fuchigami. Applicant respectfully traverses Examiner's rejections as explained below.

The claims have been amended as shown above for clarification. In particular, amended claim 1 recites in part, the limitations of the IM system comprising "a plurality of clients, *each client having a different account from every other client*". The other independent claims 6 and 11 have been similarly amended.

A prima facie case of obviousness is not shown using Aravamudan and Fuchigami for at least the reasons stated below.

Amended Claim 1

Aravamudan does not teach, either expressly or inherently, each and every element of amended claim 1. Particularly, claim 1 recites "each of said account is identified by a unique

identification number being based on the unique mobile phone telephone number, and wherein said IM server records each said unique identifier of *each and every* client type of said client matched with said unique identification number of said client, *such that the unique identification number is common to all of the client types of said client*". (emphasis added).

Applicant's support for the amendment found in paragraphs 0035, 0036, 0082. Aravamudan fails to teach such limitations and the claim as a whole. Contrary to Examiner's rejection, Aravamudan simply does not teach the element of each account identified by a UIN "based on the unique mobile phone telephone number". Nowhere on pages, 4, 5 or 7, does Examiner demonstrate that the UIN which identifies the account of the client is "based on the unique mobile phone telephone number" and "wherein the IM server records each said unique identifier of each and every client type of said client matched with said UIN....such that the UIN is common to all of the client types of said client". Applicant respectfully notes the following:

- 1) **Aravamudan does not show a single account identified by a UIN based on the unique mobile phone telephone number of the client, the UIN common to all of the client types of the client:** Although Aravamudan may discuss a UIN, Examiner does not demonstrate anywhere that the client's single account is "identified by a UIN being based on the unique mobile phone telephone number". Aravamudan in cols. 5-7, discusses data and rules databases which holds phone numbers, Internet addresses, buddy lists and how to direct calls, yet this has nothing to do with a UIN which identifies a single account for the client and all its client types. Aravamudan further discusses a CSP conveying a unique ID to create a new IM account for a user; yet, Aravamudan does not show what the CSP bases this unique ID upon in order to create

the IM account. Therefore, there is no teaching that the UIN which identifies the single account for ALL client types of a user is based on the unique mobile phone telephone number.

2) The “matching” occurring in Aravamudan is NOT the matching recited in

Applicant’s claims: Examiner continues to state “a UIN such as a phone number or an Internet address of client is use to make match”, however, this is used out of context, since Aravamudan is using a phone number or Internet address shown in a rules database in order to forward a voice call to a particular phone number or email address. This is not what Applicant is claiming. Aravamudan fails to show “the unique identifier of each and every client type of said client matched with the UIN of the client” and that this UIN is based on the mobile phone telephone number. Examiner ignores this limitation and goes right into discussing “how a unique identification number such as a phone number or an Internet address of client is used to make a match ...to complete a voice call”. (Office Action, page 4 and 7, Aravamudan col. 5, lines 56 to col. 6, line 2). This “phone number” found in a database is being used to direct a call in Aravamudan, it is not what is used to identify the single account of the user, nor what each and every client type of the client is matched with such that the number is common to all the client types of the client.

As such, Aravamudan does not teach all the limitations found in claim 1.

Moreover, Aravamudan in view of Fuchigami do not teach, either expressly or inherently, each and every element of claim 1. Amended claim 1 states that “each client having a **different account from every other client**,...each client account being a single

account on said IM server **for all of its client types**". As the invention is clearly not concerned with users sharing a single account, but with a particular client's client types sharing a common account, claim 1 has been amended for clarification. Examiner noted on page 5 of the Office Action, "Fuchigami teaches plurality of different users using a single account that is common to all (col. 1, lines 39-col.2, lines 11 and col.2, lines 19-27)...Examiner broadly interpreting the claim users could be clients of the messaging system." Applicant respectfully contends that the amendment to the claim has now clarified the claim to remove the possibility of misinterpretation of the claim.

In the first instance, Examiner interpreted "users" of Fuchigami to be "clients" in Applicant's claims. However, Examiner misses the point in that it is the "client types" of a single user that are associated with a single account in the claims. The claim does not recite that different clients, (or different users as in Fuchigami), are to use a single account, but rather it is the particular client's client types having the common account. Applicant's invention is distinguished from Fuchigami in that claim 1 recites that "each client having a different account from every other client". Fuchigami completely teaches away from claim 1 in that Fuchigami is concerned with "a plurality of users" who "may want to use one account....a plurality of users are to use one account, a user cannot access any electronic mail addressed to others, and hence privacy can be protected" (col. 1, lines 49-50, col. 4, lines 63-65). The whole point of Fuchigami is to provide privacy for a number of different users who are all using the same account. This is in no manner related to the Applicant's teaching of different users each having different accounts from one another. A user in Applicant's invention would not be concerned with privacy protection among its own client types as such privacy would already exist because users are not sharing an account with other users. There

is further no expectation of success in combining such teaching of Fuchigami (a single account for different users) with the teaching of Aravamudan to arrive at applicant's claims where the users have a different account from one another.

Fuchigami further, does not provide the deficiencies of Aravamudan as discussed above. Accordingly, Fuchigami in combination with Aravamudan, do not teach all the limitations of amended claim 1. Applicant respectfully requests withdrawal of the rejection of Claim 1 under Section 103(a) based on Aravamudan in view of Fuchigami.

Applicant has amended the application for clarification and to remove misinterpretation, but if the Examiner believes that this application is not yet in condition for allowance, Applicant respectfully requests Examiner's constructive assistance and suggestions pursuant to the spirit of MPEP § 2173.02 and § 707.07(j).

Amended Claim 6

Neither are all the similar limitations found in amended claim 6 taught by Aravamudan in view of Fuchigami. In particular, Aravamudan fails to teach the method limitations of "providing a single account on the IM server for each client in respect of all of its client types that can access the IM server, each single account being different for every client"; "identifying the account by a unique identification number that is based on the unique mobile phone telephone number" and "recording in said IM server each unique identifier of each client type of that client matched with said unique identification number thereof, such that the unique identification number is common to all of the client types of that client". As such, Aravamudan does not anticipate the limitations of claim 6. Furthermore, as discussed above with regards to claim 1, because Fuchigami only teaches a method for creating private

subaccounts under a single email account, Fuchigami fails to teach or suggest “providing a single account on the IM server for each client in respect of all of its client types that can access the IM server, each single account being different for every client”, as claimed in claim 6.

Dependent claims

Claims 3-4 depend upon and incorporate all limitations of Claim 1. Therefore, Aravamudan in light of Fuchigami fail to teach or suggest ALL claim limitations of claims 1 and 6, as required to establish a prima facie case of obviousness. For the above reasons, Applicant respectfully requests withdrawal of the rejection of Claims 1, 3-4 and 6 under Section 103(a) based on Aravamudan in view of Fuchigami.

Claims 10-13

Claims 10-13 were rejected under Section 103(a) as being obvious and unpatentable over Aravamudan in view of Fuchigami. The Examiner stated that “[a]s per claims 9-13, these claims have similar limitations as claims 1 and 3 combined. Therefore, they are rejected with the same rationale.” (Office Action, page 10). Independent claim 11 has been amended on line 2, in that “the messaging system comprising a plurality of clients, *each having a different account from every other client*” to further clarify the invention. Such is not taught by Fuchigami wherein all the clients (users) are not taught to have different accounts but to the contrary, all the users have the same account. Similarly, as discussed above in regards to amended claim 1, Aravamudan and Fuchigami do not include all of the claim limitations required to establish a prima facie case of obviousness. As such, Applicant respectfully

submits that claims 10-14 are all allowable for at least the same reasons as amended claim 1, as discussed above.

Accordingly, Applicant respectfully requests withdrawal of the rejections of Claims 10-14 under Section 103(a).

II. CONCLUSION

The remarks discussed above are believed to place the present Application in condition for allowance. Should the Examiner have any questions regarding the above remarks, the Examiner is requested to telephone Applicant's representative at the number listed below.

Date: _____

8/18/2006

Respectfully submitted,



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